Between the Devil and the DUP: The Democratic Unionist Party and the Politics of Brexit

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Abstract

The Democratic Unionist Party (DUP) gained an unexpected foothold at the heart of the British political system following the 2017 UK general election. Political arithmetic compelled the then Prime Minister Theresa May to enter a Confidence and Supply Agreement with Northern Ireland's ten DUP MPs in order to shore up her minority government. The timing of the DUP's positioning at the UK's constitutional centre coincided with the early phase of the Brexit process and afforded the small Northern Ireland political party a degree of influence as the UK struggled to agree the terms of its departure from the EU. This article provides some analytical clarity as to how and why the DUP unexpectedly came to play a leading role in Brexit's complex and dramatic political theatre. Drawing on interviews with senior DUP figures, opposing political parties, civil servants and political commentators, this article demonstrates the hollowness of the DUP's Brexit position, and points to ways in which the party's influence over the UK's approach to the Brexit negotiations undermined relationships in Northern Ireland between unionists and nationalists, between North and South (on

the island of Ireland), and between Ireland and the UK. The research reveals that Brexit has precipitated (a return to) a disruptive Unionist politics which is defined by a profound and destabilising ontological insecurity and a fear of being ‘sold out’.

Keywords: Brexit, backstop, Northern Ireland, Democratic Unionist Party

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Introduction

Signed on 26th June 2017, the *Agreement between the Conservative and Unionist Party and the Democratic Unionist Party on Support for the Government in Parliament* (Cabinet Office 2017) was a matter of unanticipated necessity for then Prime Minister Theresa May; the consequence of a Parliamentary arithmetic that had been entirely unpredicted when she had called the General Election two months earlier. The deal represented a surprising and unprecedented opportunity for the DUP to exercise power, including the power of veto, in the constitutional centre (see Tonge 2017; Tonge and Evans 2017). This was nowhere better demonstrated than in December 2017 when, at the behest of DUP party leader Arlene Foster, May was forced to delay and hastily renegotiate the provisional terms of the UK's withdrawal from the EU. An initial draft of the EU-UK Joint Report on the progress of phase one of the Brexit negotiations had proposed a differentiated settlement for Northern Ireland and 'regulatory divergence' across the Irish Sea which the DUP claimed Unionists could not countenance (Boffey, Rankin and Asthana 2017; Connelly 2018a).

All subsequent attempts on the part of May's government to reach and ratify an agreement on the terms of exit from the EU were opposed by the DUP. Most hotly disputed was what came to be termed the 'backstop' (see Connelly 2018b). The backstop would see the whole of the UK remain in a temporary single customs territory with the EU, while Northern Ireland would remain aligned to those rules of the EU's single market required to maintain an open border on the island of Ireland. This arrangement would remain in place 'unless and until' both the EU and UK agree that it is no longer necessary.

A series of clarifications from the EU and commitments from the UK government (see DExEU 2019) failed to quell DUP concerns about the impact of the backstop on the constitutional and economic integrity of the United Kingdom. The party's hard-line and consistent opposition to all formulations of the backstop contributed to a period of immense political instability and volatility in UK politics, which, at the time of writing (mid-September 2019), has endured beyond the end of Theresa May's tenure as Prime Minister, and looks set to continue regardless as to the final outcome of the Brexit process.

This article provides some analytical clarity as to how and why the DUP unexpectedly came to play a leading role in Brexit's complex and dramatic political theatre. We address three inter-related questions. First, to what extent is the DUP's support for Brexit reflective of the party's ideological principles and consistent with the wider political programme it has developed since the 1970s? Second, what impact has Brexit had on (re)shaping the party's principles, programme and conduct (and vice-versa)? Third, and perhaps most crucially, what are the likely enduring consequences of the DUP's support for Brexit on the relationships across the three 'strands' which define and shape Northern Irish politics, namely: those within Northern Ireland (that is, 'community relations' between Unionists and Nationalists); North-South (between Northern Ireland and the Republic) and East-West (between Ireland and the UK)?

In what follows, we map the political evolution of the DUP in general, and of its long-term policy approach to 'Europe' in particular. Drawing on interviews with senior DUP figures, as well as with members of opposing parties, Northern Irish and Irish civil servants and political commentators, we demonstrate that the party's support for Brexit

during and since the 2016 referendum is as much the result of strategic (mis)calculation and of the contingency of events as of long-term party policy or political principle. And we suggest that it reflects and has contributed to a regressive deviation from the long-term trend towards accommodation and compromise which had lately defined the DUP's political journey. We demonstrate the ways in which: the issue of Brexit has become politicized within Northern Ireland; how it has been mapped on to and intensified the pre-existing conflicts which define Northern Irish politics; and, how this has been both influenced by, and has served to influence the course of political events since the 2016 referendum. Above all, our research reveals that Brexit has precipitated (a return to) a disruptive Unionist politics which remains defined by a profound and destabilising ontological insecurity and a fear of being 'sold out'.

The DUP and the character of Ulster Unionism

Unionism is "a layered and complex" (Farrington 2001, 49) sociological assemblage, and one which is "cross-cut by tensions involving politics, culture, class, region, popular culture and religious denomination" (McAuley 1999, 115). The Protestant/Unionist/Loyalist (PUL) community in Northern Ireland is defined by segmentation and internal conflict: the secular versus the religious; the rural versus the urban; the dogmatic versus the pragmatic; the elite versus the grassroots. Unionism is also highly gendered (Ashe and McCluskey 2015), and class stratification has been a persistent and divisive fault-line in its intra-communal politics (McGovern and Shirlow 1997; McAuley 2010, 2016; Mulvenna 2015). In effect, Ulster Unionism is a broad (and divided) church.

Though Unionists may differ across myriad socio-political vectors, traditionally, they have shared a unifying political aspiration – that is, the defence of the Union between Great Britain and Northern Ireland not only from the seditious threat posed by Irish Nationalism, but from the neglect, apathy and even hostility of its own Westminster government (see Todd 2018, 142). The DUP's electoral stall has traditionally been built precisely on the perception that Northern Ireland is a "rather less than cherished region of the British state" (Coulter 1996, 172), and on what Farrington (2001, 69) has defined as this "Unionist sense of siege and anxiety over [the] political future" in the face not only of Republican hostility, but also of 'mainland' British ambivalence.

The DUP was formed in 1971 by the Reverend Dr Ian Paisley following his election to the Northern Ireland Parliament. The influence of the fundamentalist and evangelical Free Presbyterian Church – of which Paisley was the founder and long-serving moderator – on the party has been significant. On a range of social and moral issues, the party was (and remains) deeply conservative. This includes staunch opposition to abortion and same-sex marriage. The strength of the link between the DUP and the Free Presbyterian Church has diminished post-Paisley. However, religiosity remains high within DUP party ranks and among the party leadership, and social conservatism continues to be a hallmark of the party's outlook (Tonge *et al* 2014, 160).

Paisley's brand of evangelical Protestantism was based on vigorous opposition to the Roman Catholic Church and linked to a steadfast defence of the Union against the forces of the Provisional Irish Republican Army (IRA), rival Unionist politicians, the Irish *and* British governments. The party was virulently resistant to political attempts to address the conflict, and particularly to the institutionalisation of any role for the Irish

government – no matter how marginal – in the governance of Northern Ireland. In 1985, Unionist objections to the Anglo-Irish Agreement – which granted a consultative role in Northern Irish affairs to the Irish government and was considered by all shades of Unionism to be a Westminster sell-out – were stoked by Paisley's fiery and impassioned rhetoric. 1985, however, proved to be something of a turning point in Unionist culture and politics (see Cochrane 1997), and many macro-political developments since, including, significantly, the 1998 Belfast/Good Friday Agreement, have been interpreted by some Unionists as representing an ever deepening of the "psychological abandonment" (McAuley 1999, 114) of Northern Ireland and as steps, therefore, towards a United Ireland.

Where the (then electorally predominant) Ulster Unionist Party (UUP) moderated its position during the 1990s, in the context of the 1994 paramilitary ceasefires, and signed up to the 1998 Belfast/Good Friday Agreement, the DUP walked out of the talks before they concluded. The party was unable to countenance supporting the Agreement in the absence of full IRA decommissioning, and the party also harboured reservations about the devolution of policing and justice powers. The DUP's hostility to both the letter and spirit of the Agreement connected with an increasingly sceptical and apprehensive Unionist electorate after 1998.

Unionist voters grew disenchanted with the post-1998 political dispensation, which many of them viewed, *inter alia*, as disproportionately favouring Nationalists in areas such as recruitment to the police and civil service; unjustly rewarding Republican 'terrorists' with early release from prison and posts in government; and more broadly undermining of Northern Ireland's 'Britishness' (Dixon 2008; McAuley 2010). UUP

electoral fortunes diminished, and those losses were converted into DUP gains. By 2003, the DUP had eclipsed their UUP rival to become the largest catch-all Unionist political party in Northern Ireland. Electoral advances, however, brought new political responsibilities. As power beckoned, it was clear that a new, more accommodating relationship between principle and pragmatism was needed if the DUP was to complete its transition from a party of protest to one of government. Compromise was reached at St Andrews in 2006. The St Andrews Agreement addressed some of the DUP's key reservations about the 1998 settlement and significantly, it recorded Sinn Féin's expression of support for the reformed Police Service of Northern Ireland (PSNI). This provided the basis for what had previously been represented by the DUP as entirely unconscionable, and saw the party's leadership agree to share power with their sworn Irish Republican adversaries.

There were certainly still doubts on the part of the DUP about elements of the peace settlement: the party's support for the North-South dimensions of the 1998 Agreement remained flimsy, and relations with Sinn Féin have continued to be testy. Issues such as parading, the Irish language, same-sex marriage, abortion and the legacy of the Troubles have continued to provide flash-points in the so-called culture war which has shaped the post-conflict political culture of Ulster Unionism (see Parr 2017; Evershed 2018a). Unionist anxiety about Northern Ireland's constitutional future has been stirred intermittently and deliberately by the DUP post-St Andrews (See, for example., Nolan *et al* 2014). However, when Ian Paisley assumed the position of First Minister in May 2007, it nonetheless marked a significant watershed in the DUP's move "from hardline bystander to major governing force" (Tonge *et al* 2014, 4) and saw this fear go (somewhat) into abeyance. By the time of the 2012 DUP party conference, then party

leader, Peter Robinson, was able to pronounce that, “the siege has lifted…and the constitutional debate has been won” (Robinson 2012). As Ganiel (2009) intimates, the seemingly profound transformations in party rhetoric, policy and praxis over the course of the peace process (and the tensions between dogmatism and pragmatism that accompanied them) were pre-figured by the evolution of the DUP’s policy approach to the European Union.

‘Hard-baked’ Euroscepticism?

The most definitive study of the DUP to date, *The Democratic Unionist Party: From Protest to Power*, was published in 2014 by Tonge *et al*. In light of events since, it is notable how little attention they paid – in what is otherwise a comprehensive study of DUP members’ positions on a multitude of policy areas – to the question of ‘Europe’. Arguably, this is testament to how distant a prospect ‘Brexit’ (and how relatively unimportant, therefore, such a question) seemed between 2012 and 2013, when the research for this study was carried out. Indeed, as Ganiel (2009, 576) argues, traditionally, “European issues have hardly mattered” at all in Northern Ireland electoral politics, including during elections to the European Parliament, which have served “at best [as] an additional medium for local party competition” (Ibid., 568; See also Murphy 2009). By and large, European Parliament elections have, according to Bruce (2007), been treated by Northern Irish voters as proxy referenda on Northern Ireland’s constitutional status. As Ganiel (2009, 584) suggests, this helps to explain the traditional focus in the DUP’s European election campaigning on the importance, above all, of preventing Nationalists (and particularly Sinn Féin) from topping the poll.

Of course, party-founder Ian Paisley's staunch opposition to the EU on millenarian religious (and anti-Catholic sectarian) grounds was notorious (Bruce 2007; Moloney 2008; Ganiel 2009, 577-579). In 2016, senior DUP figures, including MP and deputy party leader, Nigel Dodds, and former chief of staff, Chris Montgomery, were prominent among the "palaeosceptics" (Shipman 2016, 6) who established and directed Vote Leave. DUP Policy Officer, Lee Reynolds, was seconded to Vote Leave as the campaign's regional co-ordinator for Northern Ireland. While this all lends validity to claims on the part of senior members and representatives that the DUP has been a consistently "anti-Europe and Eurosceptic party" (DUP Councillor, interview with author, 2018), 'Europe' has arguably never been a significant (let alone core) issue for the party or its supporters. Rather, it has traditionally been consigned to the margin of an ethno-national policy agenda concerned above all with protecting the constitutional status of Northern Ireland. As Ganiel (2009, 586) suggests, in general, the party's Euroscepticism arguably has therefore had less to do with its views on the EU *per se* than with attempting "to appeal to voters as a means of distinguishing itself…to the extent that the strength of one's anti-European position reflects the strength of one's Britishness".

Moreover, the DUP had often exhibited, if not evidence of what Ladrech (2002; see also De Winter and Gomez-Reino 2002) has termed 'Europeanization', then at least a degree of elasticity in its approach to the EU. Between the late 1970s and the late 1990s, European Parliament elections consistently provided the party and its leader with a platform, a seat and a funding stream, even while they remained more marginal forces in domestic Northern Ireland politics. Ganiel (2009, 577) highlights what she describes as "pragmatic engagement" by subsequent DUP MEPs from Paisley

onwards with the European Parliament on priority issues, including agriculture, fishing and funding for infrastructural projects. While maintaining its Eurosceptic rhetoric, in practice the party has demonstrated a willingness to work within European frameworks in pursuit of the benefits afforded to Northern Ireland – particularly under the auspices of the Special Support Programme for Peace and Reconciliation (PEACE), the European Regional Development Fund's INTERREG programme and the Common Agricultural Policy (CAP) – by the UK's membership of the EU in general, and the province's status as a peripheral and disadvantaged region in particular (Ibid.)

While the DUP's 2014 European election manifesto called for a referendum on the UK's membership of the EU, it did not explicitly advocate for a Leave vote. And crucially, under the heading, 'Securing our place within the Single Market', it made a series of claims which are worth quoting here at length:

> "The DUP recognises that the Single Market is one of the European Union's most transformative assets. We want to maximise the economic opportunities that it presents for Northern Ireland.
>
> As a region of the UK, Northern Ireland is now part of a Europe that is better connected than ever before, by air, rail, sea and online. With better connectivity there is an inherent potential for economic growth, via the free movement of labour, goods, capital and services. [The DUP] wants to help businesses and individuals in our local communities to exploit this potential.
>
> We are committed to promoting Northern Ireland's highly-educated and high-skilled workforce at an EU level and showcasing our region of the UK as an hospitable business environment within the Single Market." (DUP 2014, 22)

Given the prevailing, generally unspoken and largely uncontested assumption of the UK's (and, by extension, Northern Ireland's) ongoing membership of the EU there is

an argument that by 2014 the DUP's rhetoric on Europe was beginning to catch up with the reality of its long-term, pragmatic and exigent engagement with European institutions. However, in 2016, this same assumption also gave the DUP the political space it needed to roll back from its increased conjoining of policy and practice in order to declare for Leave.

Gobsmacked

To a person, no DUP member (nor for that matter, any member of an opposing party nor any political commentator) whom we have interviewed seriously viewed the Leave campaign(s) as likely to emerge victorious from the EU referendum. As suggested by one senior former DUP staffer:

> I wouldn't say that the referendum was just 'going through the motions', but there weren't that many people I spoke to who ultimately thought that Leave was going to win … there was a freedom for some people to support the Leave campaign because they could support what they had always believed in, vote for it, believing that the outcome was nonetheless going to be Remain. (Interview, 2018)

In this context, the DUP's coming out for Leave can be seen as much a matter of party management, political expediency and electoral opportunism as of ideological principle.

Following David Cameron's announcement in February 2016 that the referendum would be held that June, senior party members swiftly and unanimously backed a Leave vote. As suggested by one such member:

> I was at the policy-making conference that we had – I say conference, it was a meeting upstairs [at Stormont] – where they said, 'right gentlemen, we need to agree our policy on Brexit' – this was before the referendum. And ten minutes later we had agreed our policy. We just went 'round the room and it was, 'Burn it! Shoot it! Strangle it!' (DUP MLA, interview, 2018).

One DUP official also noted that this reflected the mainstream view among the party's wider electoral base: "[T]he pool of potential voters that the DUP would be swimming in in a Northern Ireland context; there would also have been a strong pro-Leave majority there" (Interview with author, 2018).

For Arlene Foster – then new to the job of party leader – adopting a pro-Leave position allowed her to placate and tap into these Eurosceptic urges while seemingly posing little by way of real risk to the 'modernising' project of the DUP's more economistic, generally younger and more (neo)liberal wing (See Tonge *et al* 2014). The perceived wisdom, even among those most vociferous in their support for Leave, held that the party would emerge from the referendum campaign as 'noble losers' (DUP Councillor, interview with author, 2018). Theologically, this gelled well with the party's Paisleyite heritage, its tradition of millenarian apocalypticism, and with its identifying itself as the bearer of a redemptive testimony that all but the elect are liable to ignore, including about the EU's perceived satanic and corrupting influence (see Searle 2015). This expectation also tapped into the dominant tropes of victimhood, defeatism, insecurity and the 'siege mentality' which, as noted above, are definitive of Unionist political culture (see also Finlay 2001; Cohen 2007; McVeigh 2015; Evershed 2018a). Tying together these related and defining themes in Unionist political culture is a common thread: virtue is synonymous with fighting a perennial battle against what are perceived as perverse moral currents, debased opponents and overwhelming odds.

Crucially, this battle is against not only the hostile Republican and Nationalist other, but also the progressive trends perceived as being promoted by the British establishment. These include economic globalisation, multiculturalism, 'permissiveness', secularism and (pro-European) internationalism.

In adopting a Leave position, the DUP were able to embody and benefit from this particular and idiosyncratic form of anti-establishment sentiment: enhancing their political capital through positioning themselves against the UK (and, indeed, Irish) government(s); Nationalists in both the Social Democratic and Labour Party (SDLP) – historically the most Europhile of Northern Ireland's political parties – and Sinn Féin – who in 2015 had adopted a critically pro-Remain position amid concern about the potential impact of Brexit on all-Ireland affairs and institutions, the Belfast/Good Friday Agreement and PEACE funding; the cross-community Alliance Party; and their immediate rivals in the UUP – whose leadership eventually advocated for Remain (Murphy 2018, 33-37). In sum, and as indicated during an interview with one SDLP MLA:

> If you wanted to talk about sovereignty, wave your Union Jacks and wind up Nationalists, Brexit's your man…[And] for a lot of [DUP members], everything is war by another name: because Nationalists were for Europe, then Europe must be bad...I also think that lots of leaflets with Union Jacks on them, and arguments around sovereignty – I think for a lot of them, they thought it would be a bit of a sandpit: that it was never going to go through, and they could do whatever they wanted. They could beat their chests and have flags on leaflets 'til the cows came home, stand up beside 'British' values and there would be no consequences (Interview, 2018)

This view was echoed during our interview with a one-time DUP staffer when they said, "probably the fact that Irish Nationalism in latter years has been so pro-EU,

there's probably some hint in the middle of all that, that if they're for it, we're against it" (Interview, 2019).

In addition to the (ethno-)political and electoral dividends[1] derived by the DUP from their participation in the symbolic displays of Britishness and the essentialised arguments about sovereignty which defined the EU referendum (Murphy 2018, 26-27; Gordon 2016), taking a Leave position in 2016 also proved financially lucrative for the party. On 21st June, two days before voters went to the polls, the party sponsored a four-page wrap-around advert in the freesheet Metro newspaper in cities across the UK, urging readers to 'Vote to Leave on Thursday'. Somewhat ironically – given the party's subsequent insistence on full post-Brexit regulatory alignment with Great Britain – the DUP were under no legal obligation to declare the source of the funding for this advert under Northern Ireland's differentiated laws on political party donations. However, in the wake of a report by investigative journalists Peter Geoghegan and Adam Ramsay (2017) at openDemocracy, they were eventually pressured into revealing that they had received £425,622 during the referendum from the clandestine 'Constitutional Research Council', of which £250,000 was used to pay for the Metro advert (Ibid.). Its receipt of such a large sum demonstrates that there were material as well as electoral rewards in the party's backing Leave. However, the Metro does not circulate in Northern Ireland, and the only voters in the UK represented by and eligible to vote for the DUP were therefore not exposed to it. This is reflective of a certain ambiguity in the DUP's messaging around Brexit.

In general, the DUP's campaigning during the Brexit referendum in Northern Ireland itself was more muted (Murphy 2018: 48). Arlene Foster's formal announcement that

the party would be backing Leave was far from unequivocal, acknowledging that "DUP members and voters will hold a range of differing personal views as to what is in the best interests of the United Kingdom" (*News Letter* 2016). Indeed, the party's pro-Leave position put it at odds with sections of the business and farming communities which traditionally (and particularly in the case of the latter) form part of its own constituency and support-base (See Keating *et al* 2009, 61-62; Murphy 2018, 45-48). To coin a notorious Northern Irish idiom, 'the dogs in the street know' that senior party figures did not themselves vote for Brexit precisely because of the risk it posed to Northern Ireland's long-term economic prosperity and political stability (see, for example, Bell 2016).

Numerous seasoned political commentators have attested to the expectation among senior party figures that Remain would win the referendum, and the level of surprise within the party hierarchy about the result (see, for example, Emerson 2018; Gorman 2018; Kane 2019). This was mirrored in several of our interviews with party members. For example, one senior member of the DUP noted:

> we were all gobsmacked, I think, when we woke up the next morning. I don't think any of our people confidently thought we were going to win it…Obviously, we hadn't developed policy on the basis of Brexit [but] now we've had plenty of time to develop policy. And that policy is now out, on the strongest possible terms! (DUP MLA, 2018).

Ultimately, it seems clear that the DUP backed Leave anticipating a Remain result. Testament to Shapiro and Bedi's (2007, 9) assertion that "political actors, no less than political scientists, can be victims of contingencies that they do not understand", the DUP's position on Brexit is not the product of long-term policy-making, but a reflection

of the indeterminacy, uncertainty and conditionality of events. And it has been impacted upon and compounded by the outcomes of the unanticipated Northern Ireland Assembly and UK General elections in 2017, which conspired to see an unprepared and embattled DUP taking increasing responsibility for delivering on the result of the 2016 referendum at the national level, under the terms of its confidence and supply pact with the Conservatives. Arlene Foster's torpedoing of the first draft of the EU-UK Joint Report in late 2017 represented the extent of the DUP's (new-found) power and influence, but also, arguably, its high-water mark (see O'Toole 2017a, 2017b; Gorman 2018; Bevington and Wager 2018; Emerson 2019). Further, the influence her party appears to have enjoyed since June 2017 has arguably served to mask or elide a series of dynamics which have been more destabilising and troubling for the DUP, its support-base and the wider Unionist community in Northern Ireland, including as reflected in the (equally snap) Assembly election in 2017. Not least among these has been the loss of Unionism's electoral majority in Northern Ireland.

Crocodiles, Crisis and Kingmaking

On 26th August 2016, then Northern Ireland First and Deputy First Ministers Arlene Foster and Martin McGuinness issued a joint letter to Prime Minister Theresa May, highlighting "a number of issues which are of particular significance" for Northern Ireland in the context of the Brexit negotiations between the UK and the EU. These issues included the border, the all-island energy market, EU peace funding and the need to maintain tariff- and barrier-free trade with the EU, particularly for agri-foods (Executive Office 2016). On the surface, this letter appeared to signal a pragmatic and collaborative cross-party approach to Brexit on the part of the DUP. However, insofar as it was ever reflective of the DUP's policy on Brexit, any conformity between their

approach and that of their Nationalist coalition partners proved to be short-lived. Within a few months of the First and Deputy First Ministers' joint letter, and in the wake of the 'Cash for Ash' scandal, Martin McGuinness had resigned, collapsing the Northern Ireland Executive and triggering what would be a particularly rancorous Assembly election.

Suffering from terminally ill-health, McGuinness was replaced as Sinn Féin's Northern leader by Michelle O'Neill, who led the party into the Assembly election on 2 March 2017. The perceived arrogance of the DUP party, its prejudice towards members of the LGBT community and ethnic minorities, and its intolerance of Irish language, identity and culture of which McGuinness had accused Arlene Foster and the DUP in his resignation letter (*Belfast Telegraph* 2017) became prominent themes in the election campaign. The image of the DUP in the eyes of many voters was not improved by several gaffes on the part of the party's leader, including during a press conference in which she referred to proponents of an Irish Language Act as 'crocodiles' who, if fed, would "keep coming back for more" (Gordon, 2017).

The net result was something of a surge in support for Sinn Féin, whose first preference vote share rose by 3.9 percent compared to their result in the 2016 Assembly election, while the DUP's fell by 1.1 percent (*BBC News* 2017a). In an Assembly reduced from 108 to 90 seats[2], this translated into a net loss of 10 seats for the DUP, including those held by party grandees, Nelson McCausland and Lord Morrow. With 28 seats, the DUP fell below the 30-seat threshold required to unilaterally trigger a 'petition of concern'[3] – which it had traditionally used to veto legislation on marriage equality – while Sinn Féin's tally of 27 seats brought it within

one seat of becoming the largest party in the Assembly. Crucially, Unionism had lost its majority in the Northern Ireland Assembly, and for the first time since the state was founded in 1921, Unionist candidates failed to gain a majority of votes cast and seats available in an election in Northern Ireland.

This apparent sea-change in Northern Ireland electoral politics came as a bitter blow to the DUP from which they were still reeling when Theresa May made the surprise announcement on 18th April 2017 of a snap General election, to be held in June. The DUP contested this election on a manifesto which insisted that they were uniquely positioned to "stand up for unionism, speak up for Northern Ireland, and stop Gerry Adams and Sinn Féin from dictating the political agenda" (DUP 2017, 23). This message found a receptive audience in a Unionist constituency still coming to terms with the loss of an electoral majority it is highly unlikely ever to enjoy again. Unionism failed to regain its electoral majority, but the DUP experienced a surge in support, adding some 10.3 percent of vote share to its result in the previous General election in 2015 (as compared to a 4.9 percent swing to Sinn Féin) and two extra seats in the House of Commons (Sinn Féin gained three), taking its total number to 10 (with Sinn Féin on seven) (*BBC News* 2017b).

With Theresa May's Conservatives falling short of a majority by eight seats, this left the previously crisis-ridden DUP in a position of wholly unexpected relative strength and Arlene Foster, according to one political commentator, "breathing a sigh of relief" (interview, 2018). Thus the stage was set for Brexit's peculiar form of political theatre, in which the DUP has, as much to the surprise of its leadership and wider membership as anybody else's, come to play a leading role. The victory of the Leave campaign(s)

in the 2016 referendum: the crisis confronting the DUP before, during and after the 2017 Assembly election; the party's new-found position as kingmaker following the snap General election; and its ongoing opposition to the Withdrawal Agreement, in general, and the backstop, in particular, quite unexpectedly propelled the DUP from the periphery to the very centre of British politics. The party's positon on the backstop permeated broader Westminster narratives and debates on the withdrawal process and became totemic for Tory Brexiteers, who used it to justify their own opposition to the Withdrawal Agreement (Sheldon 2019). This eventually contributed to May's downfall and replacement as Prime Minister by the more 'hardline' Boris Johnson, who had garnered DUP support by promising to scrap the backstop[4]. And it has had profound consequences for political relationships within and between the islands of Great Britain and Ireland.

The Impact on Relationships

The many unexpected and overlapping political crises and electoral contingencies which have unfolded since the UK voted to leave the EU in 2016 have served to re-open old wounds in Northern Ireland. The issue of EU membership – which was largely benign before 2016 – has been deeply and enduringly politicised (see Murphy 2018); intensifying the Nationalist-Unionist divide and becoming conflated with the wider and bitterly contested question of Northern Ireland's constitutional position. During the initial phase of the Brexit negotiations, the primary political casualties of this trend were North-South relations, British-Irish relations and relationships within Northern Ireland. The three central strands of the Belfast/Good Friday Agreement were negatively affected by a deep sense of insecurity within the DUP about how Brexit was being managed and (supposedly) manipulated, to the detriment of Unionist interests and

aspirations, by nationalists in Northern Ireland, by the Irish and British governments, and by the EU.

The DUP's pro-Brexit stance was viewed by Nationalists as a deep, existential and even deliberate threat to the Belfast/Good Friday Agreement, its institutionalisation of Nationalist identity and cultural expression, and its fostering of North-South co-operation on the island of Ireland. Attempts to articulate these fears appeared to fall on deaf ears within the DUP, and party leader Arlene Foster fuelled Nationalist concerns about her party's commitment to the Agreement (which, of course, it did not support in 1998) by suggesting that she did not regard it as 'sacrosanct' (Campbell 2018). Concurrently, the DUP summarily dismissed Nationalists' proposals for a differentiated post-Brexit settlement for Northern Ireland (see Sinn Féin 2016; SDLP 2017) and came to represent support for the backstop as an intrinsically (and insidiously) Nationalist position. This was despite the fact that such support extended far beyond Sinn Féin, the SDLP and their supporters. The Alliance and Green Parties were also consistent and vocal in their support for the Withdrawal Agreement, as were key civic and business organisations and trade unions. Indeed, opinion polling consistently suggested that the backstop has the support of a majority in Northern Ireland (see, e.g., Murphy 2019 and Lucidtalk 2019).

Notwithstanding the contradictions and inaccuracies in the DUP's arguments about the implications of the Withdrawal Agreement for the constitutional integrity of the Union (see Evershed 2018b, 2019; Skoutaris 2018; Hayward and Phinnemore 2019), Brexit can nonetheless be seen to have added something of a constitutional dimension to the mix of forces undermining and straining political relationships in Northern

Ireland. Other contested issues included the status of the Irish language, legacy matters and same-sex marriage (see O'Leary 2018). Where Unionists perceived that the long-term cohesion of the United Kingdom had become less secure following the Brexit vote, this was deemed to be a consequence of nefarious agitation by 'pan-Nationalist' forces. A feeling of being besieged was reawakened and Unionists' anxiety about their political future intensified. This revived sense of constitutional insecurity resulted in the DUP adopting some of the more disruptive characteristics of its traditional *modus operandi*, which included a deep mistrust of all shades and manifestations of Irish Nationalism.

While relations between the DUP and the Republic of Ireland were never warm, before Brexit they had reached a point where they were cordial. Contact between the party and officials and politicians in Dublin had become regular, functional and even mundane. Some of this engagement was filtered through the Strand Two institutions of the Belfast/Good Friday Agreement and some was more informal and based on personal contacts. Many of these links were focused on areas of mutual interest and frequently involved an EU dimension. For example – and as intimated in an interview with a former Northern Irish official with several years of experience in the area of North-South co-operation – the agri-food sector was increasingly viewed by the DUP as a legitimate site for co-operation on an all-island basis. Despite the development within the party of an apparently more convivial approach in the years since the St Andrews Agreement, cross-border co-operation was an aspect of the peace process which tended to sit uneasily with the DUP (Tonge *et al* 2014, 77, 224). Brexit intrinsically jeopardises North-South relations (see Phinnemore and Hayward 2017) and among nationalists there was a perception that the DUP's support for Brexit and

rejection of the backstop represented a more-or-less deliberate attempt by the party to unpick a vital component of the peace process in line with its own preferences (see, for example, McDaid 2018). The DUP's apparent blindness to the threat posed by Brexit to North-South relations was among the factors contributing to a rapid souring, not only of the relationship between the DUP and Nationalists in the North, but also between the party and the Irish government.

For its part, the DUP expressed frustration that the Irish government favoured Remain during the 2016 referendum, and party members objected to Irish government pronouncements on the subject. Interventions by Irish Ministers and, on occasion, the then Taoiseach Enda Kenny, were viewed as interference in a definitively sovereign British matter (see Moriarty 2016). The party, however, reserved its fiercest criticisms for Kenny's replacement as Taoiseach, Leo Varadkar. Arlene Foster accused the Irish premier of being 'reckless' when it comes to Brexit and Northern Ireland (*BBC News* 2017c). Deputy Leader, Nigel Dodds argued that the Irish government had been deliberately awkward and obstructive, and that "when Leo Varadkar became Taoiseach, he stopped work on practical solutions [to address the border issue]" (*Daily Politics* 2017). Particularly in light of Varadkar's promise to Nationalists in Northern Ireland that they will "never again be left behind by an Irish government", the Irish government's position was interpreted cynically by DUP-ers who viewed and represented it as being a cover for longer-term Nationalist constitutional ambitions (see Murphy 2019b). For example, DUP MP Jeffery Donaldson stated:

> It is increasingly apparent that the Irish government does not seem to care about securing a sensible and pragmatic outcome from Brexit which can work for both Northern Ireland and the Republic. Their preferred approach is to use

> Brexit in whatever way possible to undermine Northern Ireland and particularly its constitutional position. (*Belfast Telegraph* 2018)

In a more spirited contribution, DUP MP Sammy Wilson even accused Irish Tánaiste Simon Coveney of “trying to do with Brexit, what the IRA tried to do with bombs, that is break up the United Kingdom and it is not going to work” (*RTÉ News* 2018). These sentiments were stridently repeated by all those within the DUP that we interviewed. There was a sense of anger and frustration about the way in which the Irish government (particularly under Taoiseach Leo Varadkar) had (or was perceived to have) distanced itself from Northern Ireland Unionists, and this reignited suspicions about the Irish state’s ambitions to achieve a united Ireland.

The DUP consistently and vehemently downplayed evidence of the economic impact of Brexit on both Northern Ireland and the Republic, and rejected Irish fears about Brexit’s impact on the peace process. The Irish government’s staunch insistence on the need for the backstop fuelled the sense of betrayal felt by Unionists vis-à-vis the Irish government’s intentions. Where the Irish government claimed to be protecting and defending the Irish national interest, the DUP saw perfidy and treachery. The blow to Unionists’ delicate sense of security was intense. As one senior DUP figure noted: “Dublin wants to fulfil its objective of securing a united Ireland [and] they believe the more you can separate Northern Ireland from the UK, the better the chance of achieving a united Ireland" (DUP MP, interview, 2018).

Animosity between the DUP and the Irish government over the backstop bled into the wider British-Irish relationship. This relationship was already strained by the confidence and supply arrangement between the party and the British government,

which had undermined the extent to which the latter was perceived as an impartial partner and guarantor of the Belfast/Good Friday Agreement (see Lyons 2017). In theory, in this context, the DUP's poor relationship with Dublin (and with Irish Nationalism more generally) ought to have found its equal and opposite in its close relationship with the British government. On the face of it, the DUP-Conservative confidence and supply arrangement represented a significant win for its junior partner. However, this relationship was not without its difficulties. As discussed above, the first version of the December 2017 Joint Report – negotiated by the UK government and European Commission – was greeted with dismay by the DUP and eventually replaced with a document which was more palatable to Unionist sensibilities. The episode exposed a serious level of miscommunication and misunderstanding between the parties to the confidence and supply deal (cf. Connelly 2018a).

Theresa May's failure to keep the DUP in the loop on an issue of such political sensitivity, her inability to foresee the party's reaction to the original draft text of the Joint Report, and her failure to win its support for the Withdrawal Agreement, suggests two things. Firstly, the British government appeared unclear about the depth of Unionist opposition to particular Brexit formulae which could potentially lead to regulatory divergence across the UK. Secondly, the pressures which May faced from within her own party were so profound that DUP interests were vulnerable to displacement should a possible Brexit deal have garnered broad appeal among Conservatives. As the (much) smaller party to the confidence and supply deal, the DUP could not be steadfastly sure of the Conservative Party's ongoing and unrelenting support for a hard-line Northern Ireland Unionist position on Brexit. This was all-the-more so given the increasing fragmentation of the Conservative Party and its intense

intra-party struggles over the meaning of Brexit. Not even the appointment of the (supposedly) anti-backstop Brexiteer Boris Johnson as Prime Minister in July 2019 assuaged the DUP's sense of nervousness.

In the past, and as noted above, British governments were not always seen to be reliable guarantors or protectors of Unionist interests. The DUP is therefore sensitised to the potential longer-term weakness of their position. According to one interviewee: "We are clear that what we have here is a temporary arrangement. It will [only] last for a time" (DUP MP, interview with authors, 2018). There was also an insistence that the DUP's position on Brexit does not align fully with the Conservative Party's position: "We haven't given the Conservatives *carte blanche* on Brexit. We have very clear views on it and we will hold to them" (Ibid.). The DUP emphasised its desire to protect the interests of Northern Ireland, based on the party's interpretation of the effects of Brexit. However, as one senior Irish official noted, there are often differences between private conversations with (and within) the DUP and the party's public pronouncements:

> Private conversations … are about genuine concerns about life after Brexit and about building a relationship and working North-South and working across the islands, and that if that doesn't work then that would be against the interests of Unionism. (Interview, 2018)

There remains some identifiable tension within the DUP between dogmatists and pragmatists and between those who are less and more Eurosceptic. However, the DUP leadership invariably prevented any form of overt moderation (publicly at least) for fear of undermining its credentials as the most pro-Union party at a time of constitutional challenge (cf. Hayward 2017). The extent to which the DUP was able to

amend or soften their narrative or position on Brexit was effectively limited by a perception that Nationalists were intent on leveraging the backstop to achieve Irish unity. In this context, any short-term economic fallout was a necessary sacrifice to protect the constitutional integrity of the Union as the DUP perceive and define it.

Unionist insecurity and suspicion in the context of Brexit was not just confined to the British and Irish governments. It also extended to the EU. DUP leader Arlene Foster accused the EU's Chief Brexit Negotiator, Michel Barnier, of aggression over the issue of the Irish border, and of not seeking to understand Unionism (O'Carroll 2018). Misunderstanding of the Unionist position in Europe was acutely felt by the party and fuelled further concerns about the constitutional fate of Northern Ireland. According to one DUP figure:

> They [the EU] want to hive off Northern Ireland … It is very clear that what they are trying to do is bind Northern Ireland into the EU, the idea being that that moves Northern Ireland towards some sort of unitary approach on the island. (Interview, 2018)

The DUP's perception of an EU agenda vis-à-vis Irish unity, and the party's inability to arouse what might be viewed as Unionist sympathy or empathy in Brussels hardened party attitudes towards the EU, and raised questions within the party about the impartiality and *bona fides* of key Brexit negotiators.

Brexit and the DUP's Political Regression

Cochrane suggests that Unionist insecurity and an isolationist political culture has played a role in "constantly preclud[ing] progressive political behaviour" (Cochrane 1997, 83). In other words, suspicions about the intentions and motives of others vis-

à-vis Northern Ireland prompted unionists to be overtly defensive, obstructive, and antagonistic in their defence of Northern Ireland and the Union. Greer (2015, 40) notes that: “The belief that their place in the United Kingdom is precarious has ensured that reasonable co-operation has not been the standard unionist approach to domestic politics and constitutional talks”. Brexit is an issue of both “domestic politics and constitutional talks”. In effect, it touches at the very heart of Unionist sensibilities, sensitivities and insecurities; and as a consequence, ‘reasonable cooperation’ between the DUP and other actors was a casualty. During the first phase of the Brexit negotiations, the party was able to disengage from a wider cross-party discussion on Brexit for two reasons: firstly, it (temporarily and tenuously) had the ear of the British government through the confidence and supply deal; and secondly, the collapse of the Northern Ireland devolved institutions isolated the party from any need or ability to work towards consensus with political opponents in Northern Ireland on Brexit. These quirks of the political and electoral environment lent the DUP greater leverage than it might ever normally have been able to exercise. However, such developments were not sufficient to fully allay Unionist insecurity because Brexit influenced other forces to which Unionism had to be attentive.

A key explanation for Unionist insecurity is population change. The trend towards a Catholic majority in Northern Ireland intensified as the initial phase of Brexit negotiations proceeded (with some suggestions of a Catholic majority by 2021). Population change alone does not, of course, automatically threaten the Union. Brexit, however, did test the strength of Catholic/Nationalist support for the constitutional status quo. A report by Garry *et al* (2018) found that in the event of a hard Brexit, 53 per cent of Catholics would vote for a united Ireland. This contrasts with 28 per cent

support should the UK opt to remain in the EU. In effect, Brexit altered the prism through which Northern Ireland's constitutional status could be viewed and released a series of dynamics which added to Unionist feelings of insecurity. These were antagonised by increasing 'civic' Nationalist mobilisation around the question of Irish unity[5].

Many of those interviewed for this article were of the view that pressures were building for a border poll. Although a border poll (prompted by Brexit) was emphatically not British or Irish government policy, *any* talk of Irish unity invariably provoked suspicion and insecurity among Unionists. By equating Brexit with a possible united Ireland, the DUP was forced into a corner. Moderation on Brexit then became akin to selling-out on the constitutional question for the DUP. However, a lack of moderation drew out old Unionist insecurities, strained improved relationships and rolled back political progress. This was reminiscent of the Unionism of old – besieged, insecure, defensive and distrustful.

The (constitutional) instability and uncertainty which Brexit aroused in Northern Ireland provoked political discourse and behaviour which was characteristic of the DUP at its most disruptive. Brexit reproduced conduct which had been challenged, and to some extent moderated, in the period between 2007 and the EU referendum vote. The UK vote to leave the EU, however: fuelled the DUP's mistrust of Nationalism, the Irish government and the EU; permitted some detachment from the formal and informal cross-border mechanisms created by the 1998 Agreement; reinforced suspicions about the extent to which the British government is a reliable guarantor of Unionist interests; and, engendered hostility towards the EU. The DUP was acutely nervous

about the possibility of being sold-out. The resurgence of these old Unionist political-cultural traits represented a troubling regression. Brexit stirred up some of the negative features of the traditional Unionist character, which had been somewhat assuaged during the peace process. However, by unsettling the solidity of the constitutional settlement, Brexit precipitated Unionism's revisiting of old feelings of insecurity and besiegement. The resulting robust opposition to the backstop relied on discourse and behaviours which had been (largely) consigned to the past, but which found new relevance and expression in the era of Brexit.

Conclusion

From the DUP's perspective, phase one of the Brexit process simultaneously represented a moment of unprecedented (and unanticipated) political opportunity and of existential threat. A breaking of the EU bond shared by both the UK and the Republic of Ireland permitted some disentanglement from the elements of the Belfast/Good Friday Agreement with which Unionism had been least comfortable, namely those which link Northern Ireland and the Republic of Ireland. At the same time, there were other dynamics which threatened to undermine key tenets and the integrity of the Union. Talk of a hard Brexit invigorated (some) Nationalist calls for a border poll and a united Ireland. The absence of devolved institutions in Northern Ireland further fuelled the rift between the DUP and its detractors. Not alone did it limit relations between Northern Ireland political parties, but it also removed North-South contact and cooperation. Although it was not the primary cause of the collapse of the power-sharing institutions, the early period of the Brexit process undoubtedly played a role in further contaminating an already hostile political atmosphere (Murphy 2018).

The electoral and political arithmetic produced by recent elections and Brexit-related developments altered the political environment in Northern Ireland. The DUP's tactics and strategies played a critical role in shaping the wider political agenda. The party's words, actions and behaviours proved decisive in terms of shaping how Brexit impacted on relationships within Northern Ireland, between Northern Ireland and the Republic of Ireland, and between the two islands; and their impact is liable to endure regardless of the eventual outcome of Brexit. There are ominous signs that the stability and permanency of these relations may be undermined for as long as the UK's constitutional future remains unclear. The true depth and extent of Conservative Party support for the Unionist position was questionable during the initial phase of the Brexit process, and the deeply felt perception that the Union may once again be under threat permitted the DUP to rekindle its traditional character as the true defender of the Unionist cause. This entailed the revival of old insecurities including a siege mentality; overt defensiveness; and deep mistrust of others. The re-emergence of those traits synonymous with the DUP's at its most disruptive interrupted a period of relative stability in Northern Ireland when power-sharing and the institutions of the Belfast/Good Friday Agreement were operable, and a benign accommodation of both traditions was in evidence. This shift equated to a regressive deviation in the trajectory of the DUP's political journey. The destabilising consequences of Brexit into the future may further threaten an already chronically insecure Unionist politics, and in the process undermine Northern Ireland's delicate and tenuous political equilibrium.

[1] In the referendum of 2016, Leave received 44.2 percent of vote share in Northern Ireland (*BBC News* 2016b), whereas in the 2015 General and 2016 Assembly elections the DUP had received 25.7 and 29.2 percent respectively (*BBC News* 2015; *BBC News* 2016a) The increase to 36.0 percent of Northern Ireland vote share for the DUP in the 2017 General election (*BBC News* 2017a) was attributed by a series of senior party figures to being, at least in part, a consequence of the party's identification with and advocacy for Brexit (interviews with author, 2018).

[2] As per the terms of the 2014 Stormont House Agreement, the Assembly Members (Reduction of Numbers) Act (Northern Ireland) 2016 reduced the number of seats in the Northern Ireland Assembly from six per constituency to five. With the number of constituencies standing at 18, this represented a reduction from 108 to 90 seats.

[3] Intended to guarantee effective power sharing at Stormont, the 'petition of concern' is designed to prevent the predominance of one 'community' over the other. A petition of concern can be brought to the Speaker in advance of any vote in the Northern Ireland Assembly. To be accepted, it requires the signatures of 30 Members (MLAs). If a petition is successfully lodged against a particular motion, then its passage requires the assent of a weighted majority (60 percent of those present and voting), and of at least 40 percent of each of the Unionist and Nationalist designations present and voting.

[4] Though at the time of writing, there is some speculation that Johnson may be prepared to revisit a reformulated backstop in order to secure a Brexit deal (see Evershed 2019b).

[5] For example, Brexit has precipitated the establishment of #Think32, a grass-roots, (avowedly) cross-community and non-party political movement, whose professed aim is to promote and encourage debate on Irish unity. An event held by the group at Belfast Waterfront Hall in January 2019 attracted an audience of some 2,000 people.

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